

Message Text

SECRET

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S E C R E T MOSCOW 16871

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E.O. 11652: GDS
TAGS: SOPN, PROP, UR, US
SUBJECT: U.S. CORRESPONDENTS: REACTION TO SLANDER
CONVICTION

REF: MOSCOW 16802

1. BY PROCEEDING TO RULE THAT PIPER AND WHITNEY
WERE GUILTY OF SLANDER DESPITE OUR PREVIOUS APPEALS
TO TERMINATE THIS UNSEEMLY CASE, SOVIETS HAVE THROWN DOWN
GAUNTLET. WE ASSUME THAT, WHATEVER THEIR POSITION
MAY BE ON THE FINES, NEITHER NEWSPAPER WILL AUTHORIZE
A PUBLIC RETRACTION AS THE JUDGE HAS DEMANDED. IF
RETRACTIONS ARE NOT PUBLISHED, THE LOGICAL NEXT
STEP WOULD BE FOR SOVIETS TO LIFT THE CREDENTIALS OF
PIPER AND WHITNEY - AS PROSECUTION SUGGESTED TO JUDGE
IN PUBLIC SESSION. THIS, OF COURSE, WOULD BE
TANTAMOUNT TO EXPULSION.

2. WE CONTINUE TO BELIEVE THAT THIS SOVIET
ACTION IS DIRECTED NOT PRIMARILY AT PIPER AND WHITNEY
AS INDIVIDUALS, BUT IS INTENDED TO INTIMIDATE THE
ENTIRE U.S. (AND WESTERN) PRESS CORPS. THE SOVIETS
PROBABLY CALCULATE THAT OUR MOSE SEVERE REACTION WILL
BE TO EXPEL TWO SOVIET CORRESPONDENTS - WHICH THEY
WOULD FIND TOLERABLE SINCE THEY HAVE MANY MORE

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JOURNALISTS IN THE U.S. THAN WE HAVE HERE.

3. WE FEEL IT IMPORTANT, THEREFORE, TO MAKE IT
CLEAR TO THE SOVIETS - PRIVATELY, BUT
AUTHORITATIVELY - THAT WE ARE NOT PREPARED TO FOLLOW
PAST PRACTICES OF IGNORING THE AFFRONT (AS HAPPENED
AT TIMES UNDER PREVIOUS ADMINISTRATIONS WHEN JOURNALISTS

WERE EXPELLED) OR OF LIMITING OUR RESPONSE TO ONE-FOR-ONE RETALIATORY EXPULSIONS - AS WE DID LAST YEAR IN KRIMSKY CASE. THE SOVIETS HAVE FABRICATED THIS ISSUE AND IT IS UP TO THEM TO FIND A WAY TO TERMINATE THE PROCEEDINGS AGAINST PIPER AND WHITNEY. IF THEY FAIL TO DO SO AND PIPER AND WHITNEY ARE NOT PERMITTED TO CONTINUE THEIR NORMAL JOURNALISTIC ACTIVITIES IN MOSCOW FOLLOWING THEIR VACATIONS, THE SOVIETS SHOULD BE INFORMED THAT WE SHALL HAVE NO RECOURSE BUT TO RETALIATE, AND THAT RETALIATION WILL OCCUR ONLY AFTER OUR RESPECTIVE PRESS ESTABLISHMENTS HAVE BEEN BROUGHT INTO PARITY. THEY SHOULD ALSO BE INFORMED THAT, IF SUCH ACTION SHOULD UNFORTUNATELY PROVE NECESSARY, OUR POLICY IN THE FUTURE WILL BE TO ACCREDIT NO MORE SOVIET CORRESPONDENTS TO THE U.S. THAN THERE ARE U.S. CORRESPONDENTS ACCREDITED TO, AND ALLOWED TO WORK NORMALLY IN, THE USSR. (IN OTHER WORDS, THEY CANNOT HOPE TO RECREATE THE IMBALANCE AFTER THE WHOLE MATTER HAS BLOWN OVER.)

4. ONE POSSIBLE SOVIET REACTION TO SUCH AN APPROACH WOULD BE TO ALLOW PIPER AND WHITNEY TO RETURN AND RESUME THEIR WORK, BUT TO LEAVE THE COURT JUDGMENT INTACT, LIKE A SWORD OF DAMOCLES OVER THEIR HEADS, SINCE THEY COULD BE EXPELLED AT ANY TIME OR EVEN HAULED INTO COURT ON CRIMINAL CHARGES FOR FAILING TO OBEY A CIVIL SECRET

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JUDGMENT. WE SHOULD BE FIRM IN NOT ACCEPTING AN AMBIGUOUS "SOLUTION" OF THIS SORT, AND BE PREPARED TO IMPOSE A GRADUAL, IRREVERSIBLE REDUCTION OF THE SOVIET JOURNALISTIC PRESENCE IN THE U.S. IF WE ARE CONFRONTED BY IT.

5. WE ASSUME THAT ACTION IS ALREADY BEING TAKEN TO CLOSE THE TASS OFFICE IN SAN FRANCISCO. SPECIFIC GROUNDS SHOULD BE THAT THE UPI CORRESPONDENT IN LENINGRAD WAS NOT ALLOWED SUFFICIENT ACCESS TO NEWS SOURCES TO JUSTIFY CONTINUATION OF U.S. PRESS REPRESENTATION THERE. UNDER THESE CIRCUMSTANCES, IT IS CLEARLY INAPPROPRIATE TO ALLOW TASS TO CONTINUE OPERATIONS IN S.F. (THIS SHOULD ALSO BE OUR PUBLIC EXPLANATION; NO ONE WILL MISS THE IMPLICIT POINT, BUT IT MAKES IT CLEAR THAT THE S.F. TASS OFFICE WILL REMAIN CLOSED UNLESS AND UNTIL ONE OF THE U.S. MEDIA DESIRES TO OPEN AN OFFICE IN A SOVIET CITY OTHER THAN MOSCOW.) MATLOCK

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